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FACSIMILE COVER SHEET

TO: DEREK A. PUTONEN
OFFICE OF PCT LEGAL ADMINISTRATION
U.S. PATENT & TRADEMARK OFFICE

FAX NUMBER: 703-308-6459
PHONE NUMBER: 703-305-0130

FROM: V. RANDALL GARD
FAX NUMBER: 650-812-3444
PHONE NUMBER: 650-812-3456

DATE: JANUARY 13, 2004

TOTAL PAGES: 19 (INCLUDING COVER SHEET)

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being sent via facsimile to Derek A. Putonen, Office of PCT Legal Administration, of the United States Patent and Trademark Office at fax no. 703-308-6459 on the date indicated below.

Date:

January 13, 2004V. Randall Gard
V. Randall Gard**Message:**

Pursuant to your voicemail request of January 12, 2004, please find attached a true and complete copy of the Renewed Petition and related documents filed September 25, 2003.

EL504270 5US

PTO/SB/21 (05-03)
 Approved for use through 04/30/2003. OMB 0651-0031
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>	Application Number	09/701,797
	Filing Date	December 1, 2000
	First Named Inventor	Hersh
	Art Unit	Unknown
	Examiner Name	Unknown
Total Number of Pages in This Submission	15	Attorney Docket Number PA1675US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	<small>(1) Exhibit A: Surrogate's Court Information. (2) Exhibit B: Declaration of Gaby D. Springer. (3) Exhibit C: Declaration and Power of Attorney. (4) Exhibit D: Delivery Confirmation Information (5) Confirmation Postcard</small>
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks Total page number does not include postcard.	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Carr & Ferrell LLP
Signature	<i>V. Randall Gard</i> Reg. No. 33,886
Date	September 25, 2003

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	V. Randall Gard		
Signature	<i>V. Randall Gard</i>	Date	September 25, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Clifford L. Hersh et al.
SERIAL NO.: 09/701,797
FILING DATE: December 1, 2000
TITLE: Method for Increased Concurrency in a Computer System
EXAMINER: Unknown
ART UNIT: Unknown
ATTY. DKT. NO.: PA1675US

Certificate of Express Mailing Under 37 C.F.R. § 1.10

I hereby certify the correspondence attached hereto is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Express Mail Number EL 504 270 015 US under 37 C.F.R. § 1.10 on 25 September 2003 and is addressed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, VA 22313-1450.

By:


V. Randall Gard, Reg. No. 33,886

Mail Stop PCT
Commissioner for Patents
Attn: Office of PCT Legal Administration
P.O. Box 1450
Alexandria, VA 22313-1450

Renewed Petitions Under 37 CFR 1.47(a) and 1.137(b)

SIR:

Background

This petition relates to a series of petitions for revival of an abandoned patent application pursuant to 37 CFR 1.137(b) for unintentional abandonment and 37 CFR 1.47(a) as to the declaration requirements where there exists an uncooperative or unavailable inventor.

In a prior *Decision on Petition Under 37 CFR 1.47(a) and Renewed Petition Under 37 CFR 1.137(b)*, Petitions Attorney Putonen noted the requirements of a 1.47(a) petition and its applicability "only where a known legal representative of a deceased inventor cannot be found or reached after diligent effort, or refuses to make application. In such cases, the last known address of the legal representative must be given" (emphasis in the original). Petitions Attorney Putonen further noted that where the *legal representative* of an inventor is deceased, the applicant must seek out the "current legal representative."

Additionally, in a prior *Decision on Renewed Petition Under 37 CFR 1.137(b)*, the elements of a proper declaration under 37 CFR 1.497(a) and (b) were set forth in light of a 1.47(a) petition.

In response to these prior petition decisions, namely the *Decision on Renewed Petition under 37 CFR 1.137(b)* mailed 25 July 2003, applicants submit the following request for reconsideration based on the identification of a present legal representative for the estate of a deceased inventor pursuant to 37 CFR 1.47(a) and the delivery of a proper declaration pursuant to 37 CFR 1.497.

Statement of Facts

Applicants contacted the Surrogate's Court of the County of New York—the court of competent jurisdiction for probate of Mrs. Todd's estate based on her last known address. The Surrogate's Court of the County of New York provided the applicable information for the attorney and fiduciary of the Joan Todd estate. The information provided by the Surrogate Court of the County of New York is attached herein as *Exhibit A*.

On 15 September 2003, attorneys for the applicant contacted Mr. Ralph M. Engel, attorney for the estate of Mrs. Joan Todd, via telephone (Declaration of Colby B. Springer, attached herein as *Exhibit B*). Mr. Ralph M. Engel confirmed he represented the estate of Mrs. Joan Todd and that Mr. Dominic Gaeta was the executor and beneficiary of the estate; Mr. Engel also informed applicants' attorneys that Mr. Gaeta was a client of his firm. *Id.* Attorneys for the applicant explained the present declaration situation brought about by the present series of petitions and requested Mr. Gaeta's assistance as executor of the estate in executing the requisite oath or declaration. *Id.*

Mr. Engel, as legal counsel for Mr. Gaeta—the executor Mrs. Todd's estate—requested the delivery of a letter detailing the situation along with the requisite supporting documentation; attorneys for the applicant complied (*Exhibit B*) and

enclosed, via Express Mail, a copy of the application and a *Declaration and Power of Attorney for Patent Application*, attached herein as *Exhibit C*.

To date, neither Mr. Gaeta nor Mr. Engel, as legal counsel for the estate and Mr. Gaeta, have responded as to whether the declaration for the present application will be executed (*Exhibit B*).

Renewed Petition Under 37 CFR 1.47(a)

A petition under 37 CFR 1.47(a) is appropriate when "a joint inventor refuses to join in an application for patent or cannot be found or reached after diligent effort."

The co-inventor for the present application, Herbert Sullivan, is deceased. Mr. Sullivan's legal representative and heir was, initially, Mrs. Joan Todd. Mrs. Todd, however, is now deceased. Applicants note the limitations of 37 CFR 1.47(a) as set forth in MPEP 409.03(c) where a petition under 1.47 is generally inapplicable since the language "cannot be found or reached after diligent effort has no reasonable application to a deceased inventor." As such, applicants have sought out the current legal representative of the estate.

Applicants, as noted by *Exhibit A*, have sought out and acquired the requisite contact information for the present legal representative of the estate of Mr. Sullivan via the estate of Mrs. Todd. That representation has been confirmed by attorneys' conversations with Mr. Engel (*Exhibit B*).

A proper 37 CFR 1.47(a) requires the following:

- (1) an oath or declaration of the signing co-inventor;
- (2) a petition including proof of the pertinent facts;
- (3) the fee set forth in 37 CFR 1.17(h);
- (4) the last known address of the non-signing inventor.

Applicants have previously submitted the requisite oath and declaration of the signing co-inventor, Clifford Herish. The Petitions Attorney has recognized the declaration of Mr. Herish is proper and without defect in a telephone conversation of 28 June 2002.

Applicants contend the present petition's *Statement of Facts*, in conjunction with the accompanying declaration and exhibits, satisfy the requirement of proof of pertinent facts.

The fee for this petition has been previously charged to the appropriate deposit account. See 3 October 2002 *Decision of Petition Under 37 CFR 1.47(a) and Renewed Petition Under 37 CFR 1.137(b)* and Conclusion of 25 July 2003 *Decision of Renewed Petition Under*

37 CFR 1.137(b) ("[n]o additional fee is required"). Should an additional fee be required, however, applicants continue to authorize the Commissioner to charge such fee to Deposit Account 06-0600.

The last known address of the non-signing inventor is that of Mr. Sullivan (deceased) on his behalf by Mrs. Joan Todd as legal representative (deceased) on her behalf by Mr. Dominic J. Gaeta as legal representative and represented by Mr. Ralph M. Engel (*See Exhibit A and Exhibit B*).

The address of Mr. Gaeta (executor of Mrs. Joan Todd's estate) is: 533 Lotus Road, Ridgewood, New Jersey, 07450-5213.

The address of Mr. Engel (legal representative of Mr. Gaeta) is: Sonnenschein Nath & Rosenthal, 1221 Avenue of the Americas, New York, New York, 10020-1089.

Additionally, applicants bring to the Examiners' attention the delivery of a declaration to the legal representative of Mr. Sullivan/Mrs. Todd's estate as set forth by 37 CFR 1.497(a)-(b) (*Exhibit C*). Namely, the delivered declaration addressed the Petitions Attorney's 25 July 2003 newly identified objections in that:

- (1) the declaration was delivered for execution by the present legal representative;
- (2) the declaration identifies the citizenship of Mr. Sullivan and identifies Mr. Hersch as a joint inventor;
- (3) the requisite declaration under 37 CFR 1.497(a)(4) stating that the person making the oath or declaration believes that the named inventor or inventors to be the original and first inventor or inventors of the subject matter which is claimed and for which a patent is sought is included; and
- (4) the requisite declaration under 37 CFR 1.63 as to the signee having reviewed and understands the content of the application and that they acknowledge the duty to disclose to the USPTO all information known to be material to patentability

Renewed Petition Under 37 CFR 1.137(b)

A proper petition under 37 CFR 1.137(b) requires:

- (1) the petition fee required by law;
- (2) a statement that the entire delay in filing the required reply was unintentional;
- (3) any terminal disclaimer pursuant to 37 CFR 137(c) (where required); and
- (4) the required reply.

Applicants previously satisfied the first three requirements leaving only the submission of the required reply to revive the application. *See* 30 May 2002 *Decision on Petition Under 37 CFR 1.137(b)*.

Applicants contend the present *Renewed Petition Under 37 CFR 1.47(a)* in conjunction with the previously submitted and accepted declaration of Clifford Hersh hereby satisfies the requirement as to a proper reply.

CONCLUSION

In view of the foregoing, a decision in favor of a revival of the present application is respectfully requested.

If the Examiner believes that a conference would facilitate prosecution of this application, the Examiner is invited to telephone Applicants' undersigned representative at the number set out below.

Respectfully submitted,
Clifford L. Hersh et al.

Date: 25 September 2003

By: 

V. Randall Gard, Registration No. 33,886
Carr & Ferrell LLP
2225 E. Bayshore Road, Suite 200
Palo Alto, California 94303
Phone (650) 812-3400
Fax (650) 812-3444

**Surrogate's Court
of the
County of New York**



**JANE PASSENAUT
CHIEF CLERK**

**31 CHAMBERS STREET
NEW YORK, NY 10007**

Dear Sir or Madam:

The Attorney for the estate is: Ralph M. Engel Firm Name Rosen & Reade

Address: 757 Third Avenue

City/State/Zip: New York N.Y. 10017

Phone: (212) 303-9000

The fiduciary of the estate is: Dominic J. Gaeta

Address: 533 Lotus Road

City/State/Zip: RidgeWood NJ

Phone: _____

The File/Case Number of the estate is: Ms. Joan Todd File # 2001/2135

Sincerely

Jane Passenaut

EXHIBIT A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Clifford L. Hersh et al.

SERIAL NO.: 09/701,797

FILING DATE: December 1, 2000

TITLE: Method for Increased Concurrency in a Computer System

EXAMINER: Unknown

ART UNIT: Unknown

ATTY. DKT. NO.: PA1675US

Declaration of Colby B. Springer

I, Colby B. Springer, hereby declare that the facts set forth herein are within my personal knowledge, or appear from documents and information received by me in the course of this matter and, if called upon to do so, could and would testify to the truth thereof.

(1) I am an attorney duly licensed to practice law in the State of California and am presently familiar with the facts surrounding the above-identified application;

(2) On or about 11 September 2003 I did receive a copy of a facsimile from the Surrogate's Court of the County of New York setting forth the estate information for one Mrs. Joan Todd, deceased;

(3) The Surrogate's Court of New York County designated Mr. Ralph M. Engel as the attorney for the Joan Todd estate and Mr. Dominic J. Gaeta as the fiduciary;

(4) On 15 September 2003, I "looked up" the contact information for Mr. Ralph M. Engel with the law firm of Rosen & Reade utilizing the Internet search engine at www.google.com;

(5) Through use of the aforementioned Internet search engine, I was informed the law firm of Rosen & Reade had been acquired by the law firm of Sonnenschein Nath & Rothenthal LLP and that Mr. Robert Engel continues to practice law at that firm;

(6) On 15 September 2003 I proceeded to contact the New York office of Sonnenschein Nath & Rothenthal *LLP* and requested to speak with Mr. Rosenthal;

(7) On 15 September 2003 I did speak with Mr. Robert Engel who confirmed he was the attorney for the estate of Ms. Joan Todd;

(8) On 15 September 2003 Mr. Robert Engel informed me that Mr. Dominic J. Gaeta was, in fact, the executor and beneficiary of the Joan Todd estate and that Mr. Gaeta was a client of the Sonnenschein Nath & Rothenthal *LLP* firm;

(9) On 15 September 2003 I did explain to Mr. Robert Engel the situation surrounding the declaration for the present application and asked if Mr. Gaeta, as his client and the executor of the Joan Todd estate, would be able to assist in executing the proper documents as required by the laws and regulations governing the issue of patents in the United States;

(10) On 15 September 2003 Mr. Robert Engel, in response to my query, requested I deliver to his care the documents needing to be executed to resolve the present matter;

(11) On 17 September 2003 I did deliver to Mr. Robert Engel, as counsel for Mr. Gaeta, via Express Mail a copy of the patent application identified above and the declaration attached herein as *Exhibit C*;

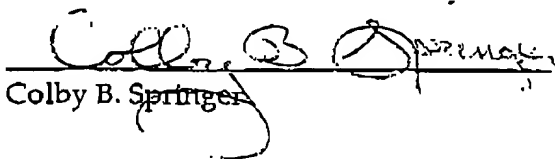
(12) The declaration was received by Mr. Engel's office as evidenced by the copy of the Express Mail Label EL 504 269 984 US and United States Postal Service confirmation on 19 September 2003; that label and confirmation are attached herein as *Exhibit D*;

(13) I did contact Mr. Robert Engel via telephone on 24 September 2003 and request the status of the declaration sent to his care on behalf of Mr. Dominic Gaeta;

(14) As of the date of execution of this declaration, Mr. Robert Engel nor Mr. Dominic Gaeta have informed me as to whether Mr. Gaeta will, in fact, execute the requisite declaration.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

25 September 2003


Colby B. Springer

{00100080v1}

EXHIBIT B2

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Method for Increased Concurrency in a Computer System

the specification of which was filed in the U.S. Patent Office on December 1, 2000 and assigned application number 09/701,797.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under Title 35, United States Code §119(a)-(d) or (f) or §365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

No Foreign Priority Benefit Claimed

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

No Provisional Priority Benefit Claimed

I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

PCT/US99/12433
Application Number

June 3, 1999
International Filing Date

Abandoned
Present Status of Application

EXHIBIT C1

POWER OF ATTORNEY: I hereby appoint the attorneys and agents associated with the Customer Number 22830 to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

SEND ALL CORRESPONDENCE TO:

CARR & FERRELL LLP
2225 East Bayshore Road, Suite 200
Palo Alto, CA 94303
TEL: (650) 812-3400
FAX: (650) 812-3444

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Clifford L. Hersh Citizenship: USA

Inventor's signature: _____ Dated: _____
(Permanent ink only) (Date of Signature)

Mailing Address: 801 Mahler Road, Suite G, Burlingame, CA 94010

Residence Address: 2361 Piedmont Avenue, Berkeley, California 94704

Full name of second inventor: Herbert W. Sullivan Citizenship: USA

Inventor's signature: Executed by Legal Representative Dated: _____

Mailing Address: 205 West End Avenue, New York, New York 10023 (Last known)

Residence Address: 205 West End Avenue, New York, New York 10023 (Last known)

I, Dominic Gaeta, as the legal representative of Ms. Joan Todd, deceased, who initially made application for this patent application as the sole heir of the co-inventor, Herbert Sullivan, upon and information and belief, do declare the foregoing to be true and correct on behalf of Ms. Joan Todd on behalf of Mr. Herbert Sullivan.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States

Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of Legal Representative: Dominic Gaeta Citizenship: _____

Representative's signature: _____ Dated: _____
(Permanent ink only) (Date of Signature)

Mailing Address: _____
Where the legal representative normally receives mail

Residence Address: _____
If the legal representative lives at a location different than his mailing address

37 CFR §1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a *prima facie* case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability. A *prima facie* case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

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Date in	<input type="checkbox"/> Next <input checked="" type="checkbox"/> Second	<input type="checkbox"/>	
Time in	<input checked="" type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage	\$ 19.65
Weight	<input type="checkbox"/> 1st Day <input type="checkbox"/> 2nd Day	Return Receipt Fee	
AM <input type="checkbox"/> PM <input type="checkbox"/>	Int'l Alaska County Code	COD Fee	
6:07 PM		Ins. Charge Fee	
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday <input type="checkbox"/>	Acceptance Clerk Initials	Total Postage	\$ 19.65
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Express Ltd Corporate Acct. No. X940908			
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FROM: PALO ALTO		TO: PALO ALTO	
CARR & FERRELL 2225 E. BAYSHORE RD # 200 PALO ALTO CA 94303-3220 Ants 1675US CBS		Ralph M. Engel Goumenaschein Nath & Rosenthal 1221 Avenue of the Americas New York, NY 10020-1089	
PRESS HARD.		FOR PICKUP OR TRACKING CALL 1-800-222-1811	
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EXHIBIT D1



**UNITED STATES
POSTAL SERVICE**

Date: 09/23/2003

Fax Transmission To: COLBY SPRINGER
Fax Number: 650-812-3444

Dear COLBY SPRINGER:

The following is in response to your 09/23/2003 request for delivery information on your Express Mail item number EL504269984US. The delivery record shows that this item was delivered on 09/19/2003 at 11:34 AM in NEW YORK, NY 10112 to O MONTALVO. The scanned image of the recipient information is provided below.

Signature of Recipient: Delivery Section

Noland Montalvo
Noland Montalvo

Address of Recipient: Sonnenchein 1221 6^{ave}

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,

United States Postal Service

EXHIBIT D2

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PO ZIP Code 94125	Day of Delivery <input type="checkbox"/> Next <input checked="" type="checkbox"/> Second	Flat Rate Envelope <input type="checkbox"/>
Date In 9-25-03	<input checked="" type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage \$ 13.65
Time In <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM 1:00	<input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee
Weight lbs. 5 oz.	Intl Alpha Country Code	COD Fee Insurance Fee
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials ML	Total Postage & Fees \$ 13.65

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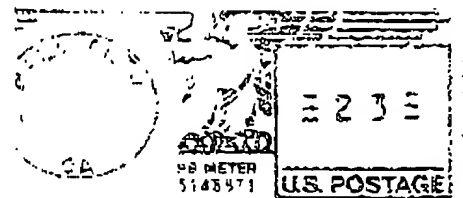
Patent/Serial No.: 09/701,797 Issue/Filing Date: December 1, 2000
 Title: Method for Increased Concurrency in a Computer System
 Inventor(s)/Applicant(s): Hersh et al.
 Docket No.: PA1675US Atty./Sec. Initials: VRG:cbs
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☒ Transmittal/Cover: PTO-SB-21; 1 pages
☐ Provisional Appl.: pages (incl. drawings)
☐ Utility Specification: pages (incl. claims & abstract)
☐ Continuation/Divisional Specification: pgs
☐ Design Specification: pages
☐ Drawings: # of sheets incl. FIGs.
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☐ Amendment/Response pages.
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